

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

LAWRENCE G. RUPPERT and
THOMAS A. LARSON, on behalf
of themselves and all others similarly
situated,

Plaintiffs,

ORDER

08-cv-127-bbc

v.

ALLIANT ENERGY CASH BALANCE
PLAN,

Defendant.

At a telephone conference held on June 3, 2011, counsel for the parties agreed that the order entered on June 2, 2011 should be amended to provide that the court's proposed amendment to the notice to the class members about the payments they would receive as a result of the IRS determination letter are to be added to the cover letter for the notice, dkt. #444-2, at 2, as the third and fourth paragraphs. No other changes will be made to either the cover letter or the notice, dkt. #444-2, at 3, except to correct the date on which the letter will be sent.

ORDER

IT IS ORDERED that the cover letter for the notice sent to the class members explaining the payments pursuant to the IRS determination letter will be amended by the adding the following paragraphs as the third and fourth paragraphs of the letter:

As you were informed in 2009, the cash balance pension plan is the subject of a class action lawsuit filed in federal district court in 2008. Ruppert v. Alliant Energy Cash Balance Pension Plan, 08-cv-127-bbc (W.D. Wis.). The court has ruled in that case that participants in the plan who took early retirement and chose lump sum payments of their cash balance accounts were not provided the full amounts to which they were entitled. That ruling is not yet final and may be appealed. If the ruling is upheld on appeal, you may be entitled to another payment in addition to the one described in this letter.

Accepting this benefit payment under the terms of this letter will not affect any right you may have to receive an additional payment later if the ruling on the class action suit is upheld.

No other changes are to be made to either the letter or notice, except to correct the date of the letter.

Entered this 3d day of June, 2011.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge